## TROUBLE IN THE CABINET. OPPOSITION TO MR. BRISTOW'S WAR

ON THE WHISKEY RING. The Secretary of the Treasury Deserted by bis Colleagues - Attorney-General Pierre-pont's Hiegal Interference for the Protec-tion of Babcock - What will Follow.

WASHINGTON, Feb. 6.—It has been known for several weeks to all well-informed persons to Washington that the intimate relations which formerly existed between the Secretary of the nd the Attorney-General had ceased, and that their intercourse was atrictly official.

This rupture dates from the removal of ex Senaor Henderson, although it did not culminate in It originated in the difference of opinion which this case gave rise to as to the authority rney-General to instruct and control

mony in all cases, and that he could not take
the responsibility of making an exception in
Gen. Babcock's case. The Attorney-General
still insisted that the testimony should be submitted to him before the Grand Jury was allowed to take any action thereon, and Mr. Dyer
then declared yery emphanically that if this without any definite conclusion being reached,

another meeting in the morning.

SECRETARY BRISTOW MAINTAINS HIS RIGHTS. From the Department of Justice Dyer went to see Secretary Bristow, to whom he related all that occurred. The Secretary of the Treasury was very much astonished and not a little in-censed. Aside from the manifest impropriety ourse the Attorney-General was dictating. Mr. Bristow was incensed because he had presumed to interfere in a matter that belonged exclusively to his department. He told Dyer that he would accompany him the next morning to see the Attorney-General, and accordingly there was an interview at the Department of ustice, at which it was decided that no exception could be made in any case. The meeting thinking it prudent to insist upon his demand of the previous day. He, however, said to Dyer very significantly that he must be very careful was amply sufficient to justify his indictment great scandal and deeply mortify the President, and if not sustained hereafter by a verdict of ruilty by a petit jury, it would irretrievably ruin all concerned. To this Secretary Bristow interlected the reply, "Do nothing but your duty, Gen. Dyer, and the consequences will take care | derson's place.

There was no difficulty between the Secretary and the Atturney-General on this occasion, but was the incipiency of the rupture which was now inevitable. For the Attorney-General was undoubtedly acting in obedience to instructions he had received from the President, and Secretary Bristow was too shrewd not to see that when the critical moment came, Mr. Pierrepont The trials at St. Louis came on in November, McDonaid was convicted, and Avery was the next victim. One of the President's private secretaries. Levi P. Lucky, was despatched to St. report daily to the white House. As the cases proceeded the distillers and revenue officials who were used as witnesses for the Government swore, one after the other, to the fact that they were assured by Joyce that Gen. Babcock was in the Ring and kept things straight at the Washington end. Two or three of them testified that Joyce had frequently exhibited

LETTERS FROM BABCOCK. in which there were assurances of approval and protection, and one of them, a Mr. Bevis, swore that Joyce gave him on one occasion a letter from Babcock, which he was allowed to retain for sever, I days in order to show it to aneasy. Judge Chester H. Keum, who was the intimate personal friend of President Grant and Gen. Babcock, and who had resigned the Augrative office of County Judge in order to besome the attorney of the Whiskey Ring, telegraphed to Babcook advising him of these derelopments, and requesting him to come on and Findicate himself. This, it must be borne in mind, was during the trial of McDonald, and the now famous Sylph despatches were not pro duced and identified as being in Babcock's Avery trial was on. For reasons best known to simself Babcock did not act upon the advice of Judge Kram, who, be it remembered, was not acting as his counsel, but simply in the capacity

The significance of the relations that Krum an honorable and lucrative office to defend the rullty criminals of the Whiskey Ring, is worthy of particular attention. Either one of two House, and his supposed influence with the the White House, because it was known that he could be trusted. This latter hypothesis appears the more probable in the light of his conduct. The moment he discovers that Babcock's mame was being bandled about by the witnesse for the Government, he advises that individual of the fact, and urges him to appear and swear himself clear. His advice was not acted upon, but Babbook is no sooner indicted than he em-

MR. HENDERSON'S REMOVAL. But to return to Attorney General Pierrepont. On the 29th of November ex-Senator Henderson brought out the Sylph and other despatches, Sen. Babcock with the conspiracy. The next Dyer, asserting in the most solemn manner his innocence, and claiming the right to appear and in his telegrams. The answer thereto was: "The evidence in the Avery trial is closed. The ment cases are set for the 15th of December.' On the 2d of December the Associated Press de-Patches from Washington announced that Gen Babcock had that day had a long interview with Attorney-General Pierrepont. The same day the Attorney-General telegraphed to District Attorney Dyer as follows: "Give me all the news. What is the situation?" To this Dyer Jury still considering his case." The next day Henderson made his celebrated speech in summing up the case against Avery, and in the se of his argument incidentally alluded to the President in a manner which attracted no particular attention until his language, as reported in the St. Louis papers, was republished a Trie for of Dac. 2. But on the 4th of Decem-

ber the President ordered a court of inquiry in Babcock's case, and Attorney-General Pierreport, much to the disgust of Secretary Bristow the proceeding the proceeding the proceeding the proceeding the proceeding the proceeding term in causes of the last preceding term in causes. and every lawyer in the country, advocated it in Cabinet meeting. Immediately thereafter he directed District Attorney Dyer to furnish the military court all the evidence in Babcock's case. To this command Dyer promptly replied: case. To this command Dyer promptly replied:

Is it expected by the Attorney-General that evidence
procured by the process of the District and Circuit
Courts of the United States at this place shall be taken
to Chicago, out of the jurisdiction of this Court, and delivered into the hands of a military court in a time of
profound peace, and especially when we are in daily
use of the evidence before the Grand Jury and in the
trial of cases before the courts? I beg leave to say
that the court will not telerate such a proceeding, and
I could not personally take the responsibility without
incurring its co. tempt.

This knocked the wind out of Pierrepont, but he determined to get even-supposing that it positive disagreement until several weeks was Henderson who inspired this caustic reply. GRANT IN A RAGE.

The President, when informed of Dyer's contumacy, was in a towering rage, and charged it District Attorneys in natters pertaining to the all upon Henderson, who, he said, was his bitter Internal Revenue Bureau. Mr. Pierrepont arro-personal enemy, and was bent on ruining him. Now, the objectional paragraph from Hender-District Attorney by the ground that all District Attorney before this the St. Henderson on the ground that all District Attorneys were subordinates of his, and that the pressure subordinates of his, and that the pressure subordinates of his the St. ecution of internal revenue cases was a matter been received in Washington, and the part supposed to reflect upon the President had been He therefore, without consultation | read and commented upon in the Department with Secretary Bristow, assumed entire Jurisdic-uon over the cases in St. Louis, and ordered the Attorney Dyer telegraphed as follows to Attoremoval of Henderson.

Before this Pierrepont had telegraphed to a vote of 18 to 2, decided to indict Gen. Babprer, ordering him to come forthwith to Wash- cock," The next day this piece of news was is, as Blaine would say, "a bold, presump uous and when that official came here he was printed in the New York papers, and the Attorney-General to submit to ney-General was officially advised of the action he testimony which had been found of the Grand Jury. It was not until this auast Babcock, in order that he might decide | nouncement was made—that Babcock was actuether it was sufficient to warrant the finding ally indicted-that the Attorney-General disdistment against that favored individual. | covered that there was anything in Henderson's this the District Attorney demurred, and in- speech in the Avery trial which merited conosted that it was the province of the Grand demnation. This is shown by his first despatch ury to pass upon the sufficiency of the testi-

then declared very emphasically that if this The exclanation of Dyer was prompt and sourse was to be pursue i he must be relieved of sufficient. He declared that the assertion that all responsibility in the premises. This inter-view occurred in the evening and terminated founded. Henderson himself telegraphed imbut with the understanding that there would be but denied most positively that he had reflected on the President in any way, and asked that judgment be suspended until the official report of his speech, which would be forwarded, was received. The next day Pierrepont, without waiting for the official report, telegraphed Dyer to dismiss Henderson, stating that his speech was condemned by every member of the

It is immaterial whether this statement was literally true or not. It matters not whether Secretary Bristow approved of Henderson's speech or not, but it is well known that he strongly advised against Henderson's removal. on the ground that it would be prejudial to the prosection of the cases against McKee and Mething of allowing distillers and subordinate revguire. It is quite possible that he avoided an issue on the language used by Henderson in re-ferring to the President, and urged that his dismissal would be interpreted by the country as | telling who would escape. The White House an attempt to shield Babcock. However pure itself might be emptied, and half the Republiand see to it that the evidence against Babcock their motives might be, they would not be understood in this light, and the President, by before he suffered the Grand Jury to take cog- his indifference to the speech of Henderson, mizance of it, and explained that it would cause would greatly strengthen himself with the public. But the President indignantly rejected this advice, and Bristow's objection was advoitly met by Pierrepont, who proposed that the most eminent lawyer of Democratic proclivities in St. Louis should be secured and retained in Hen-

> BRISTOW ALONE IN HIS CRUSADE. The lines of demarcation had been drawn, and Bristow stood solitary and alone on the side of | But who was to do this? The President couldn't. justice and right. The Attorney-General and That would be too bold and transparent an atblatant reformers, went over to the defence of had no more authority to do it than the Secreofficial jobbery and knavery, and it was plain to | tary of War had, but nevertheless he did it at the Secretary of the Treasury that his efforts to reform his department and purify the revenue of warning: tive. The Attorney-General had wantonly in terfered in a matter over which he had no con trol, and had in the very teeth of the law presumed to dictate the policy that was to be perrevenue laws. But not with standing all this was clear to the Secretary, he determined not to make an issue on a collateral question, but to stand firmly and unswervingly on his legal rights him. This is what has happened, and it is only a question of a few days, possibly weeks, till the fire which has so long been smouldering will break out and the volcano of Presidential wrath

begin erupting.

To understand the present posture of affairs in the Cabinet, let the reader observe partic larly the following legal exposition: First, the Attorney-General from 1830 to 1867 had only a coördinate jurisdiction over cases arising under the revenue laws. The act of May 29, 1830, gave the Solicitor of the Treasury the authority, "with the approbation of the Attorney-General, to establish such regulations, not inconsistent with law, for the observance of District At-torneys and Marshals, respecting suits in which the United States is a party, as may be deemed necessary for the just responsibility of those officers and the prompt collection of all revenues and debts due and accruing to the United tion of the Solicitor of the Treasury, who is only nominally of the Department of Justice, alof March 2, 1867, took internal revenue cases entirely out of the jurisdiction of the Attorney. General. The language of the act was as

THE PLAIN LETTER OF THE LAW.

That in the suits or proceedings arising under the internal revenue laws, to which the United States is a barry, and in all suits or proceedings against a collector or other officer of the internal revenue, wherein a District Attorney shall appear for the purpose of prosecuting or defending, it shall be the duty of said attorney, instead of reporting to the Solicitor of the Treasury immediately at the end of every term of the court in which said suit or proceeding is or shall be instituted, to forward to the Commissioner of Internal Revenue a find and particular statement of Internal Revenue as this and particular statement of the court in such souls or proceeding it shall be the duty of said attorney to report to said Commissioner the full particulars relating to such suit or proceeding it shall be the duty of said attorney to report to said Commissioner the full particulars relating to such suit or proceeding; it shall be the duty of the Commissioner of Internal Revenue (coth the approval of the Secretary or THE TREASURY) to establish such rules and regulations, not inconsistent with law, for the observance of revenue officers, District Attorneys, and Marsha s, respecting stits spising under the Internal revenue laws in which the United States in a party, as may be deemed necessary for the ustrespon-tibility of those officers, and the promit collection of all revenues and dobts due and accruing to the United States under such laws.

en Babenek with the conspiracy. The next act of March 2, 1867, the Commissioner of Internal Revenue, with the approbation of the to place an impassable guif between Bristow Secretary of the Treasury, made, April 13, 1887. and Pierrepont, and the power that inspired it certain "regulations for the observance of District Attorneys, Marshals, and officers of in- office. ternal revenue in the United States." Among others it was prescribed that each District At torney should procure a well-bound docket or letter book, labelled as follows: "The property of the United States. Internal revenue cases. In these books he was to make all entries respecting internal revenue cases, and preserve all letters relating thereto. These books were to become a part of the records of his office, answered: "Babcock not indicted. Grand and be transmitted to his successor. He was required to take all his directions from the Commissioner of Internal Revenue, and to report exclusively to him. And it was further set

the close of the last processing term in ly commenced, so as to furnish to the r a full history of what has been done to the provious term including any tr somer a full bistory of what has been done in all causes since the previous term, including any trial, verdict, decision or judgment, and the issuing of any execution, with the time when he had been commenced, either by direction of a public officer or otherwise, it will be the duty of the District Attorney having such suit in charge to press the same to a judgment at as early a day as possible, consistent with the interests of the United States. Where a cause shall have been continued, the District Attorney will in his next return to the Commissioner state upon whose motion and on what ground the continuance was directed. No District Attorney will discontinue a suit, or consent to a dismissal or continuance thereof, or suspend proceedings, er agree that a judgment or decree shall be taken for a less amount than the United States is entitled to claim, in view of the violations of law committed by the defendant, without express instructions from the Commissioner, except that when such attorney shall be of opinion that the suit his been improperly brought, that an error has be a committed in the pleasings or proceedings which may be fatal or hazarious to the interests of the Government, or that the evidence in his power to produce is insufficient to support the action, and there shall not be sufficient time to communicate with and receive instruction from the Commissioner, he may consent to suspend proceedings or to a continuance. In all such cases the District Attorney will immediately report the facts and the reasons for his action.

THE LAW AND REGULATIONS above quoted are in force to-day, as will be seen by reference to sections 377, 774, and 3,215 of the Revised Statutes of the United States. The Attorney-General has nothing whatever to do with the District Attorneys when they are engaged in the prosecution of internal revenue cases, and they are to be governed entirely by the instructions which they receive from the Commis sioner of Internal Revenue, who in turn is ruled by the Secretary of the Treasury, and hence it fraud" on the part of the Attorney-General if he interferes and dictates a line of policy to these officers contrary to that laid down by the Treasury Department. Now this is precisely what Attorney-General Pierrepont has done. The theory upon which Secretary Bristow has been waging his matchless crusade against the Whiskey Ring is a simple one. It may be reduced to

two propositions: First-That there could have been no frauds committed on the revenue by the distillers without the connivance and assistance of the reve-

Second-That the revenue officials would not have entered into such a conspiracy with the distillers had they not been assured of the support of the politicians who controlled the appointments, and received in return a portion of the stealings for political purposes.

Having laid down these laws, Bristow was compelled in pursuing the criminals of the Whiskey Ring to follow them out to their legitimate conclusion, and hence he traded off unim-portant and insignificant gaugers, storekeepers, and distillers for principals like McDonald, Joyce, McKee, and Meguire. EMBARRASSING RESULTS.

But by this process Babcock happened to be caught, and it was thought quite certain that the same manner of proceeding would catch John A. Logan, Charley Farwell, Marshal Campbell and a nalf dozen others of importance in Chicago, and Matt. H. Carpenter, Boss Keyes, Gov. Ludington, Hubbell, Payne, and more of enue officers to go free with only a nominal fine, on condition that they betrayed the great criminals, wasn't stopped in some way, there was no

can leaders sent to the penitentiary.

But how was it to be done? Bristow was not to be moved, and the law made him sole arbiter of the fates of all who were caught violating the internal revenue laws. There was but one way to do it, and that was to serve no tice on the informers by a circular letter addressed to District Attorneys that if witnesses expected to escape the penitentiary and heavy fines by swearing Babcock and other distinguished Republicans-friends of the President-into the Postmaster-General, who had erst been such tempt to save Babcock. The Attorney-General

PIERREPONT'S WARNING VOICE.

ERREPONT'S WARNING VOILS.

DEPARTMENT OF JUSTICE.
WASHINGTON, Jan. 8, 1876.

I. Washington, Jan. 8, 1876.

I. My attention to-day has been called to
paper reports stating that in St. Louis, Culcompany reports stating that in St. Louis, Culcompany reports stating that in St. Louis, Culcompany reports atting the set guilty men who cannot suppose that this is true, but my attention eing called to H, I have directed a letter to each of rose present that the District Attoinsy may know that inguestions have been mide that quite too many guilty rotogo unpurished. I cm aware that in the "actionar good jud-ment to drive away any possible scandar good gud-ment to drive away any possible scandar om any ning that will even look has favoritism to roll those who have defrauded the Government. It is ne President's retierated desire that "no guilty man all except." I do not know that there is any interaction of the laws to favor any person, and the appearation of the laws to favor any person, and the appearation of the laws to favor any person, and the appearation of the laws to favor any person, and the appearance of any such favoritism should becarefully avoided, write this by way of caution, for I have determined, o far as lies in my power to have these prosecutions so omitted that when they are over the honest judgment of the honest men of the country, which is sure, the main, to be just, will say that no one has been rosecuted from mailes and that no guilty one has been coff through favoritism, and that no guilty one has been as been proved guilty, or has confessed himself guilty, as leen suff-red to escape punishment.

Your very respectfully.

Euwarns Prenarenort, Attorney-General.

Yours very respectfully, EDWARDS PIERREPONT, Attorney-General. Although this order is dated Jan. 8, it was not made public until Jan. 31, when it was furnished to certain papers in Chicago and St. Louis by Babcock's counsel. The object of the order it self, as well as of its publication at this important juncture, is apparent. Pierrepont suddenly woke up on the 8th of January to the fact that the newspapers were reporting that " in St. Louis, Chicago, and Milwaukee large numbers States." Here it will be observed that the law of guilty men who confess their guilt are to be officers of the Government are under the direction. Had it taken him from the 1st of November, when the trials commenced in St. Louis and the distillers and though the regulations he prescribes for the subordinate revenue officers pleaded guilty and government of District Attorneys in cases went on the stand to testify for the Governrising under the customs laws must be ap- ment, to discover what Bristow's policy was? proved by the Attorney General. But the act Did he not know very well at the time that the conditions on which these men were allowed to turn State's evidence were that they should be leniently dealt with? Certainly he did! But this policy had caught Babcock and was likely to get him into the penitentiary, and as the bottom began to fall out of the Chicago and Milwaukee Rings about the 8th of January, it was thought time to let these informers know, and the District Attorneys also, that Bristow was not the Government.

THE EFFECT OF THIS ORDER has been seen in Chicago and Milwaukee. The District Attorneys there, although in possession of abundant evidence to secure the indictment and conviction of prominent Republican leaders in Illinois and Wisconsin, have not allowed it to be placed before the Grand Juries. In St. Louis, thanks to the fearless soul of Pat. Dyer, District Attorney, Pierrepont's order has been as un availing as were his appeals for Babcock last fall. What effect it may have, however, on the Under and by authority of this section of the | witnesses who are to testify against Babcock will ere long demand of the former the keys of

Inciting a Revolution in Mexico.

CITY OF MEXICO, Feb. 1 .- Manifestoes have appeared signed by Generals Diaz and Guerra, at Guan-ajuato. Their purpose is to begin a revolution, with the ultimate object of defeating Lerdo de Tejada and placing Perdrio Diaz in the Presidency. Few persons are disposed to deny the authenticity of the document, and the fear of revolution is general. The Proc Republic (newspaper) comments on the manifestoes, and concludes that Lerdo's reflection means war. Business to series and the few papers of the series of t known.
It is reported that Gen. Marquez, a man of noteriety
furing the Empire, will lead a revolution of the Church
party against President Lerdo, and he may possibly
inite with Diaz. Gen. Marquez has left Havana.
Gen. Cortina has been permitted to walk in the streets

npanied by prison officials. A New Jack Harkaway Story Published this morning in Frank Leslie's Boys.

Published this morning in Frank Leslie's Boys, and Garls' Weekly. The best boys' paper issued.—Ade.

GEN. BABCOCK'S TRIAL.

The Scene in the Court Room-The Prisoner and his Array of Counsel. Sr. Louis, Feb. 7.-Proceedings in the Babcock trial to-day were brief, and resulted merely in postponement. The case was called and counsel for defendant asked for a day's additional time for preparation. The Court granted the request readily, as all the jurymen from which the panel must come had not yet reached the city. The rush for seats in the court room in the morning was great, but overcrowding was prevented by the marshals. As soon as Judges Dillon and Treat were seated the Babcock party filed into the court room from a side door. Babcock took the seat provided for him. On his right sat Ex-Attorney General Williams, and on his left was seated Mr. Storrs. Just behind Storrs sat Judge Porter of New York, and to his right again sat Judge Chester Krum.

beind Storrs sat Judge Forter of New York, and to his right again sat Judge Chester Krum. Further on was Judge Campbell. On the left of Williams sat the brother of the defendant. As the table assigned to the prosecuting counsel, Broadbead, Dyer, Bliss, and Eaton sat together. Babcock was attired in shiny black, the frock cost buttoned tightly about the waist. His moustache and imperial were nicely waxed, and the farmers summoned as jurors looked at him curiously. He appeared rather nervous. At intervals he would consuit with Williams and ex-Judge Porter. Williams appears to act as a sort of mentor in the case, the heavy work being likely to devolve upon Porter and Storrs. As soon as the plea of not guilty had been entered and the case postponed, the entire party hastened back at once to their hotels.

Among the arrivals of witnesses for the Government to-day, were H. C. Rogers, Deputy Commissioner; Gen. James Glillian, of the Treasury Department; and Collector Parker, of the Colorado District. The latter is supposed to be a strong witness. E. C. Brearly of New York, of Babcock's counsel, also arrived.

An ugly rumor started, some days ago, is still in circulation that jurors on the venire were selected as far as possible from those whose political sfilliations would be with Babcock. Such a thing might easily have been possible were the United States Marshals so Inclined, but the re-

litical sfilliations would be with Babcock. Such a thing might easily have been possible were the United States Marshals so inclined, but the report lacks confirmation.

Luckey in conversation to-day said that Babcock had received hundreds of letters of sympathy from all parts of the country, and complained that the feeling here was prejudicial to Baucock. The feeling alluded to does not exist. The posecution are on the trail of certain letters of a most important character that are said to be damning to Babcock. PUBLIC LANDS.

THE MURDERED JEWE, 3.

The Defence Endeavoring to Disprove the Peddler Kraemer's Testimony.

In the trial yesterday of Rubenstein for the murder of Sara Alexander, William Conraddy testified for the prosecution that on Sunday evening, Dec. 12, about half past six, while he was walking through the Evergreens Cemetry, with his wife and daughter, he heard cries as if from some female in distress. The wind was blowing from east to west, and toward him. The cries seemed to come from the direction of the toll gate. He couldn't distinguish what was said. The noise was a kind of a shrill scream, and lasted about a half minute. District Attorney Britton, taking out his gold watch told the witness to speak when he thought the same time had expired as was occupied by the screams he heard. He spoke in 28 seconds. The spot where he stood was 3,030 feet from the place where the girl was being murdered. Rubenstein, whose face was healthier in look than before since his trial began, watched the witness as he cave this testimony against him. Mrs Sarah Conraddy corroborated her husband's tostly mony, and the prosecution, who had reserved these two witnesses, closed.

Mr. Chavton opposed by Mr. Sargent (Rep., Cal.), that nothing in the act should be construed to revive the law commonly called the Graduation act, was rejected to the frequent of the replace of registration and not complete or inchoate, of any homested section shall not have the effect to impair the right complete or inchoate, of any homested section shall not have the effect to impair the right complete or inchoate, of any homested section shall not have the effect to impair the right complete or inchoate, of any homested section shall not have the effect to impair the right complete or inchoate, of any homested section shall not have the effect to impair the right complete or inchoate, of any homested section shall not have the effect to impair the right complete or inchoate, of any homested section shall not have the effect to impair the right complete or inchoat

where he stood was 5,000 feet from the place where the girl was being murdered. Rubenstein, whose face was healthier in look than before since his trial began, watched the witness as he gave this testimony against him. Mrs Sarah Conraddy corroborated her husband's testimony, and the prosecution, who had reserved these two witnesses, closed.

Mr. Louis S. Davidson, a merchant tailor, President of a Hebrew society in New York, of which Solomon Kraemer, the witness who testified that he saw Rubenstein and Sara on the Jamaica plank road, and soon afterward heard her scream for help, is a member, testified that on Dec. 12 Kraemer was at the society's meeting, which began at 3 o'clock.

Israel Isaao, Ther of the lodge, saw Kraemer at the meeting. Maurice Steinhart and his wife testified that Kraemer was at helf house on Dec. 12. Mr. Steinhart went to the lodge with him and spoke for him, because Kraemer was in arrears. After the lodge Kraemer returned to their house and drank coffee until 6 o'clock. Other members of the lodge testified to seeing Kraemer at the meeting on Dec. 12, the day of the morier.

A number of cemetery superintendents testified that there were no Jewish burials in their grounds on Dec. 12. The Superintendent of the Macphelor Jewish Cemetery testified that a Jewish child was buried there on Sunday, Dec. 12, but that the body came from New York city, and not from East New York, as Solomon Kraemer had testified.

Adolph Kraemer, a brother of the witness whose testimony is in dispute, testified that a seaw him in Detective Zundt's house, studying some written German, and the witness advised him to have nothing to with that case, and Kraemer asked whether he could get out of it. There was a young girl 19 years old who said that she had translated the testimony into German for Kraemer. When asked about his brother's mental ability, the witness, who could not speak English very well, said that he was hortering the said of the was not well gental and that he meant that he had a screw loose somewhere. Th

## THE NOE MURDER.

John Dolan's Second Sontence, and his Speech After the Sentence.

John Dolan was resentenced yesterday for the killing of James H. Noe. His young sister sat beside him. After he had been placed at the bar Assistant District Attorney Rollins related the facts of the conviction and the sentence of death, and the writ of error, the con-firming of the sentence, and the sending of the prisoner back to the Oyer and Terminer again to be sentenced. Mr. Rollins then moved for sentence.

Several objections and motions by the prisoner's counsel were overruled, and Judge Barrett

said:
John Dolan, you have by your counsel taken a writ of
error to the Supreme Count at its General Term for the
purpose of reviewing the proceedings unou your trial.
That court, after a very patient investigation of the
case, in an exceedingly elaborate opinion, has come to
case, the conclusion that there was no error, that you were
see fully convicted and your sentence just, and have recase, in an exceedingly claborate opinion, has come to the conclusion that there was no error, that you were lawfully convicted and your sentence just, and have remitted the proceedings to us, directing us to fix a day for the execution of the sentence dolayed by the operation of the stay affixed to the writ of error. Nothing now remains for this court but to fix that day. I assent to the suggestion of your learned counse; so far as to fix the day, within my discretion, at a period sufficiently far distant to enable you, if you still desire to do so, through you, if you still desire to do so, through you, if you still desire to do so, through you, if you for that point I shall not the that simple time is given for that purpose, so call without the operation of any further stay have the opinion of that court as to within the work of the sentence shall be executed.

Permission was granted the prisoner to speak, and Dolan said:

Your Honor, I stand here now in this court for the contraction.

and Doian said:
Your ilonor, I stand here now in this court for the second time to be sentenced to death for a crime of which the Lord knows I was not guilty. I was conjected through that watch, and God knows I get possession of it innocently. God knows I never killed the man. I never raised my hard to a human being to kill him, and it is too bad to be sentenced for it twice. Dolan was then taken to the Tombs.

· Court Room Wanted.

In charging the Grand Jury yesterday, Recorder Haukett called attention to the fact that the General Sessions, with two Judges, disposed of 1,700 indictments last year, while the Oyer and Terminer, with nine Judges, hind disposed of only 117 cases. The Recorder infinated that the General Sessions might be made sili more efficient if the authorities would only provide the two rooms to which the two parts of the court are entitled.

last evening, to cooperate with the regiment in build-ing an armory, and appointed a committee to solicit subscriptions for a fund, of which Royal Phelps, R Lenox Kennedy, and Col. Washington R. Vernuits are to be trustees. Jackson S. Schultz and Wm. Laimbeet were made members of the Building Committee. The regiments subscribed on the last night amounted to \$40,000.

The Veteran Association of the Seventh voted

Henry C. Platt of Huntington, as counsel for James Thompson, who is alleged to have shot the German brothers and John Frazier on Friday, obtained from Judge Armstrong yesterday a writ of habeas corpus made returnable on the 12th inst. He has given notice of an application for the prisoner's discharge.

A New Jack Hat-kaway Story

CONGRESS AGAIN AT WORK. TRYING TO VOTE P. B. S. PINCHBACK A SEAT IN THE SENATE.

Judge Thurmon's Answer to Morton's Partisan Appeal-Schenck and the District Ring to be Investigated-The Greek Mission. WASHINGTON, Feb. 7 .- The Chair laid before the Senate a memorial of the New York Board of Trade, showing the inexpediency of attempting the resumption of specie payments before the requisite conditions are ripe for it. Mr. Conkling (Rep., N. Y.) presented the memorial of the Now York Chamber of Commerce, reviewing the history and creation of the Japan-

ese indemnity fund and, recommending that it, with any accumulation, be paid back to the Japanese Government, after deducting expenses. Referred to the Committee on Finance. Mr. Conkling, from the Judiciary Committee, reported with verbal amendments the House bill providing for the payment of judgments

rendered by the Court of Alabama Commission ers, and asked for its immediate consideration. He said the object of the bill was to provide that nothing in the act recently passed, extending the duration of the Albama Court until July 22, 1876, should operate to keep claimants w ose claims were allowed prior to Jan. 22, out of their money. Mr. Sargent (Rep., Cal.) said this bill provided for four per cent, interest on such judgments. He

moved to make the rate of interest six per cent.; but, after some discussion, he withdrew the amendment and gave notice that he would offer it here after to some other bill relating to the Alabama court. The amendments proposed by the committee

were concurred in, and the bill passed. Mr. Morrill (Rep., Me.) gave notice that at 1 P. M. to-morrow he would ask the Senate to proceed with the consideration of the bill appropriating \$1.500.000 to aid the Centennial Exhibition, and he hoped that whatever the Senate proposed to do it would do then.

Mr. Clayton (Rep., Ark.) called up the bill to repeal section 2,3% of the Revised Statutes, making restrictions in the disposal of public lands in the States of Alabama, Mississippi, Louisiana, Arkansas, and Florida.

PINCHBACK.

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Pending discussion, the morning hour expired, and the Chair laid before the Senate the resolution of Mr. Morton for the admission of P. B. S. Pinchback as Senator from Louislana, the pending question being on the amendment of Mr. Edmunds to insert the word "not" before the word "admitted."

Mr. Thurman (Dem., Ohio) said the question before the Senate was in its nature a fudicial one, and should be judicially considered. It was a question of legal right, and there was no room for party consideration. If Pinchback had a legal right to the seat he ought to be admitted; but if, on the other, be had no such right, no party consideration should be allowed to give him the seat. The first point made by the Senator from Indiana was that Pinchback had a prima facte case, and upon that he should be and a flagrant wrong to the State he represented. Louisiana had been with but one Senator on the floor for several years. First came John Ry and afterward came P. B. S. Pinchback. Both of them were elected by the same body, the former to fill the unexpired term of Kellogg. It Mr. Pluchback had a prima facle c se now, so had Ray. Why was not Ray seated on his prima facle case? After a discussion of two years Mr. Pinchback's claim last March was postponed for nine months at the instance of one of his supporter. Why did the Senator from Indiana (Mr. Morton) vote for that postponement if Mr. Pinchback had a prima facle case? If the forty odd lawyers in the Senate could now be persuaded that Mr. Pinchback had all the requirements of a prima facle, the sooner they resigned their seats and went to some law sonool the better it would be for the country. Why had Ray been kept out of his seat, and why had Pinchback been suffered to wander through these balls and corridors three long years, like a dejected ghost on the banks of the Styx, and find no majority to do him justice? There was but to one answer to this. The Senate, without respect to party, had not been able to see that he had a prima facle case. Nine months ago the friends of Mr. Pinchback were unwilling that a decisive vote should be taken on his case. Had he been rejected then, no one could have told whether a Democratic Senator would be let in. Were Republican Sould have been elected is his stead; but now, as a result of the Wheeler compromise, a Democratic Legislature existed in Louisiana, and the Senator from Indiana (Mr. Morton) hastened to inform the Senator beautifully elected. If R.y was not admitted a Democratic Senator would be let in. Were Republicans and smother their consciences? If so, a seat in this body, sometimes called august, had fallen very low indeed, He (Mr. Ahurman) agreed that Pinchback had not a prima facle case, and to say that he had such a case now, was to attribute to the Senator the growth, there would be an end to this whole ques California.

WILL NOT STULTIFY HIMSELF.

will not stulltiff himself.

Mr. Christiancy (Rep., Mich.) said when the case was up last March he expressed his views, and he did not wish to take back or change one word he said then. He stood now where he stood then. He thought the question had been fairly stated by the Senator from Ohlo (Thurman). In his (Christiancy's) view, the party poiley had nothing to do with the case. If he allowed his party feeling to influence him in this matter, he would feel that be was deserving of eternal infamy. If in the Senate when a vote should be taken, he would vote against the admission of Pinchback.

Mr. Howe (Rep., Wis.) said, when he should vote for the admission of Pinchback, he would vote according to the honest conviction of his conscience, and would do so believing that there was not a man on the floor, helding a seat, who had a better right to it than Mr. Pinchback had to his. He (Mr. Howe) hoped all the Senate and all the world would be assured, as he knew all of the angels in heaven were assured, that he would give his vote through no personal consideration. He argued that Mr. Pinchback never had anything but a prima facle case. In regard to his signature to the report of the committee in 1872, he said he had signed that report; but he had done penance for a mistaken vote. Pending discussion the Senate went into executive session, and afterward adjourned.

Mr. Kasson (Rep., Iowa) moved to suspend the rules so that the House may proceed to vote separately on the two following resolutions:

Resolved, That the constitutional authority of Congress to coin money and to regulate the value thereof, and of foreign cosn, does not include the authority to issue the paper of the Government as money; and, in the judgment of the House, the Constitution nowhere confers on Congress the power to issue, in time of peace, the promises or obligations of the Government as legal tender in payment of debts.

Mrsolved, That any legislation touching the legal tender currency of the Government should keep steadily a view the resumption of specie payment, and should tend to enhance the value of that currency, for the resumption of which the faith of the United State has been pledged to its citizens.

Mr. Cox-If I understand the proposition it

is not a vote on the merits of the question, but only a vote on the motion to suspend the rules. Mr. Kasson—If the vote is in the negative, it will be a rejection of the resolution.

Mr. Randall (Dom., Pa.)—Not a bit of it.

The House refused to suspend the rules—yeas, 96; nays, 140.

Mr. Buckner (Dem., Mo.), from the Judiclary Committee, reported back the Senate amendments to the bill to pay the interest on the 3.05 bonds of the District of Columbia, with a recommendation that they be non-concurred in, and that they be referred to a conference committee. He made that motion, and it was agreed to.

The Speaker associated Many of the trial of the t

and that they be referred to a conference committee. He made that motion, and it was agreed to.

The Speaker appointed Messrs, Buckner, Cate of Wisconsin, and Willard of Michigan, conferees on the part of the House.

Mr. Stevenson (Rep., Ili.) offered a resolution, instructing the Committee for the District of Columbia to examine into the expenditures and management since the year 1822 (or since their respective creations) of the Government Hospital for the Insane, the Deaf and Dumb Institute, the Columbia Hospital for Women, the Board of Health of the District of Columbia, the Reform School, and the Freedmen's Hospital, for all of which annual appropriations have been made by Congress. Adopted.

POKER SCHENCK AND THE EMMA MINE.

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Mr. Pierce (Rep., Mass.) offered a resolution, instructing the Committee on Foreign Affairs to ascertain and report what action, if any, has been taken by the Executive Department of the Government in relation to the connection of the United States Minister at the Court of St. James with the directory of the so-called Emma Mine, and with the prosecution of the Machado el. im. Adopted.

Mr. Bright (Dem., Tenn.) offered a resolution instructing the Committee on Expenditures in the Treasury Department to make a careful and minute examination of the method adopted to print the bonds, notes, and securities of the Government; what guards have been adopted to prevent frauds or mistakes; whether there has been any fraudulent issues of notes, bonds, or coupons, and if so, by whose fault or negligence, &c. Adopted.

Mr. Metcalfe (Dem., N. Y.) offered a resolution instructing the Committee on Expenditures on the Public Buildings to inquire as to the amount expended in the construction and completion of the New York Post Office. Adopted.

THE MISSION TO GREECE.

expended in the construction and completion of the New York Post Office. Adopted.

The House then went line Committee of the Whole on the Consular and Diptomatic Appropriation bill; and was addressed by Mr. Hoiman (Dom., Ind.), in reference to the necessity of economy in the public expenditures.

In reply to Mr. Monroe's argument, last week, adverse to the suppression of the Mission to Diltical important to modern Greece—netty beingdom, with a scion of Danish royalty at its head, kept in power over the recope by the strong Governments of Russia, France, and England. Was it for the people of the United States to be taxed for the maintenance of a representative at such a court? There was a United States Consul at the Pierans, and the Committee on Appropriations proposed to establish one at Athens, and these Consulates would be all that was necessary to promote commerce with Greece. He proceeded to quote from the State despatches a description given by the Minister of Greece, of the religious ceremony on Easter Eve, in which the King is mentioned as wearing the uniform of a general officer, with the ribbon of his royal order on his broast, and the Queen as wearing white satin robes "which seemed to stell the color from her cheeks." [A laugh by Mr. Monroe.] His friend (Mr. Monroe.) should not induce the saked his friend (Mr. Monroe) should not induce the saked his friend (Mr. Monroe) should be celled upon to pay \$7.500 a year to a gentleman for writing descriptions of the popule. It was plain that this gentleman had been inspired by the old poets of Greece. Anacreon himself could, scarcely have got up a handsomer simile. He asked his friend (Mr. Monroe) whether the overtaxed people of this country should be celled upon to pay \$7.500 a year to a gentleman for writing descriptions of the poeple. It was plain that this gentleman had been inspired by the old poets of Greece. Anacreon himself could, scarcely have got up a handsomer simile. He asked his friend (Mr. Monroe) whether the country should be celled upon to pay

The Arrest of a Man in Brooklyn for Forging \$200,000 Worth of Notes. On Jan. 24 Sheriff Daggett in Brooklyn received from Gov. Tilden a requisition for Per-rin H. Sumner, who was wanted in California for forgeries amounting to over \$200,000 in Oakland and in other places in California, the offences dating from last fall back many months. The requisition called for Sumner's arrest on a charge of perjury. The error was detected, and the requisition was returned to the Governor. It reached Brooklyn again on Friday, and was give him the seat. The first point made by the Senator from Indiana was that Pinobback had a prima facie case, and upon that he should be seated at once, any investigation as to the manner of his election to be made afterward. If this proposition was true, the Senate had committed an act of the grossest injustice to Pinchback, and a flagrant wrong to the State he represented. Louisiana had been with but one Senator on the floor for several years. First came John Reyand afterward came P. B. S. Pinchback. Both of them were elected by the same body, the former to fill the unexpired term of Kellogs. If Mr. Pluchback had a prima facie case now, so had Ray. Why was not Ray seated on his prima facie case? After a discussion of two victims was a Mr. Osborne of Brooklyn, who had begun to negotiate an exchange of some Brooklyn property for a residence called Inglewood, near Oakland. When Mr. Osborne nad paid \$2.500 he lost sight of Sumner, and never received his real estate. The Rev. Mr. Parshall, the pastor of the Baptist Church, learned of some of Sumner's transactions, and at once the latter plotted to ruin him by accusing nim of adultery, which charge led to Mr. Parshall's leaving his pulpit. There is a whole chapter of Sumner's frauds which are yet only partially known in Brooklyn. He is to be returned to California.

## SOMETHING MORE NEEDED.

The Sinking Fund Proposition of the Pacific

Railronds.
Washington, Feb. 7.—The sinking fund propo sitions of the Union Pacific and Central Pacific Railroad Companies, sent to Congress by the Secretary of the Treasury to-day, are those which were made by the said companies in February of last year, shortly before the adjournment of Congress, providing in each case for the creation of a sicking fund by the payment of certain creation of a sinking fund by the payment of certain fixed amounts into the United States Tressury yearly, and also the retention by the Government of all amounts then or thereafter earned for governmental transportation. Secretary Bristow dayresses an optation that some such arrangement should be made, but leaves it wholly to chapters to determine how and by what means and in what sums and at watther the sinking funds should be obtained as a sinking funds should be obtained as a sinking funds should be obtained as the first times. In the sinking funds should be obtained as the offers of the timates, house instead of the control of the control

Mr. L. Lamson, of the firm of C. H. Marshall & Co., owners of the ship Harvest Queen, that is supposed Co., owners of the ship Harvest Queen, that is supposed to have been run down and sunk by the Adriatic about four weeks ago, denies that any steps have been taken to libel the Adriatic on her arrival at this port. A former mate of the Harvest Queen, who superintended the making of a number of thocks for her, has been sent to Liverpool to examine the blocks that the Adriatic carried away from the vessel with which she was in collision.

A Plot to Break Jail Foiled. An attempt to break jell was discovered in Elizabeth yesterday. Two New York horse thieves under sentence snuggled an old knife into their cell, cut off the iron hoops of the night palls, and jagged the edges into saws. They then cut up the pall stayes to use as wedges with which to spring the bars, and having broken off a bar from the bedstead with which to kill the keeper, were ready to escape. They were discovered and locked in other cells.

A Chief of Police Suspended. Mayor Buckley of Paterson yesterday sus-pended Cutef of Police Pice from office for drunkenness and misbehavior. Rice had been Chief for nearly nvs

LOSSES BY FIRE.

8. Kilbert's carriage factory, in West Falmouth, Me. Loss, \$8,000; insurance, \$4,000. Bradner, Smith & Co.'s paper mills, in Rock-land, Ill. Loss, \$70,000; insurance, from \$25,000 to \$30,000. An ice house on Rondout Creek, owned by the Rickerbocker fee Company, was burned on Sunday morning. It contained onto tons of last year also at the time. The machine shop and tools were also destroyed. Logs between \$20,000 and \$25,000; insurance about \$15,000.

CURIOSITIES OF CRIME.

Joseph H. Brough, convicted in the Superior ourt at Worcesier, Mass., of manslaughter in killing oscip Julian, in a saloon fight in Brookfield, was yes-erday sentenced to two years and six months in the louse of Correction. John Heich shot and killed Edward Campbell in Chicago early yesterday morning. They had a quarted about Heich's wife, who was divorced from Campbell before her marriage with Heich. The latter was badly cut with a razor in the dands of Campbell.

George Dean of Weathersfletd, N. H. was shot on Sunday might at the Junction Hence, by Thomas E. Mason, who was intoxicied at the time. Mason says the thoulting was actived at the time. Mason says reliking at the time, and in recling carted between them.

Jonathan Radiker, acad. G. a saloon keeper Hender currency of the Government should keep steadily in view the resumption of specie payment, and should tend to enisance the value of that currency, for the resumption of which the faith of the United States has been picked to its citzens.

Mr. Cox-If I understand the proposition it

yesterday, for the trial of the two civil suits of the People against Tweed, and after some pre-liminary business Mr. David Dudley Field saids "I desire to thank you for the courtesy with which you indulged me in time of great embarrassment, and also to express my sense of the courtesy — generally, almost universally — and kindness with which my misfortune and trouble have been received. There is perhaps no excep-tion, or rather there is one exception, if it be one, for you may know perhaps that the New York Tribune, instead of answering my very pertinent inquiries, has taken to calling me hard names, with the view, undoubtedly, of affecting the administration of justice in the disposition of this case; and among other things it says the I have been engaged the last few years in the

service of the most notorious thieves New York has ever known.
"Now, God forbid that it should ever be a reproach to a lawyer that he defends a notorious thief. It is his duty. Even notorious thieves have their rights, and it is the duty of a lawyer to defend the rights of every human being, whether he be accursed or praised, low or high, sinner or saint. You know, sir, that it is to that that you, sitting in your seat of justice, owe pledge which every lawyer makes when he en-ters the profession—to defend the rights of all men-which has made lawyers the foremost men

counted not only a very foul bird, but a very slily one.

With these observations I have to avow my
readiness to go on with the case, and to hope
and express the hope that my learned friends on
the other side, with my associates and myself,
under your guiding and moderating influence
will so demean ourselves as to get at the vary
right in this case and develop the height,
breadth, length and depth of this great municipal scandal." A PIOUS FRAUD FROM CALIFORNIA.

A TALK WITH CHARLES O'CONOB.

Entire Recovery from a Malady that Drew him down to the Brink of the Grave. Charles O'Conor is no longer under the treatment of his physicians. He needs only strength to enable him to return to the active pursuit of his professional duties. He eats and sleeps naturally, walks about his house without a cane, and is able during daylight to read his law books and to conduct a correspondence with his associates in the Ring suits. His first venture out of doors was made in the mild weather of a fortnight ago. For several days he made it a practice to ride to Central Park of along the Boulevard, leaving the windows of his carriage open as long as he could safely do so. "I have not fought the doctors, exactly," he add yesterday. "They and I arreed upon what food I should eat; although there was a long period during which I could not retain any food at all. The doctors had a little difficulty in determining the nature of my malady. Atrophy of the stomach was what they decided it to be, It has been weeks since my stomach repelied food. Leat just as I used to—not quite so much liaughing, but the same variety of food. I mean." a cane, and is able during daylight to read his

The Savage Mine Flooded. SAN FRANCISCO, Feb. 6 .- A telegram dated yesterday from the Savage Mine says that the water a still rising, and that the nineteen-hundred-foot drift full; that the pump and tank are running to their ful capacity, but the pump is not able to keep the water down.

Mrs. Fisher's Revival Work. MONTICELLO, N. Y., Feb. 7.—Mrs. Fisher closed her religious meetings in this village last evening, and the church edifice was crowded to overflowing. There suit of her work is that fifty-three have been baptized, and one hundred have foined the church on probation.

Stoning a Protestant Church in Mexico. CITY OF MEXICO, Feb. 1 .- A mob recently stoned the Protestant Church in the Plaza of San For-nando in this city. The Protestants in Acapulco are rapidly increasing in numbers since the assassination of Mr. Richardson.

A Paterson Justice Sentenced.

John Bush, the Paterson Justice of the Peace
who was last week convicted of using false weights
and measurements in seiling coal, was yesterday sentenced by Judge Dixon in the Passaic County Court of
pay a fine of \$250.

From Wall Street to Sing Sing. Wm. J. Ree, the broker, having been cricted of forgery, was sentenced yesterday to cars in State prison. Subsequently a stay was grant Shooting Himself with a Musket.

Theodore Warry, 35 years old, living on the Bloomfield road, near Newark, committed suicide recterday by blowing half his head off with an old muscle. An Aged Pastor's Burial.

The Rev. Stephen H. Meeker, for fifty-one years pastor of the Old Bushwick Church, Williamsburgh, was buried from that edifice yesterday. BROOKLYN.

The Brooklyn Aldermen yesterday refused to add seventy-five policemen to the force, because of the increased expense of \$80,000 a year. United States Marshal Harlow in Brooklys yesterday received the pardon from the President of Moritz Rossvally, who was convicted in 1899 of counterfeiting, and sentenced for twe ye years to the Above the Counterfeiting and sentenced for twe years to the Above Teachers.

bany Penitentiary. NEW JERSEY.

The workmen employed at the Weshawken oil wharves, have been discharged owing to depression of the oil market. The late gale loosened the foundation of the West Hoboken Observatory, on the brow of the Pals sades, and the residents in the valley of Weshawken are slarmed. westers it around have formed an assets to him to organ-ize prayer in ettings along the line of the road every Sunday. Philip Clark, while shovelling snow from the track of the Pennsylvania Railroad at the Baldwin avenue cut, Jersey Cuy, yesterday, was struck by a locomotive and fatally injured.

JOTTINGS ABOUT TOWN.

THE SUN has received from F. E. \$2 for Mrs. Isnac V. French has been appointed receiver of the People's Savings Bank and the Central Park Savings Bank. four others were elected members of the Tannany Society last evening.